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Chemical Review Committee
Fourteenth meeting
Rome, 11–14 September 2018

Draft report of the Chemical Review Committee on the work of its fourteenth meeting

I. Opening of the meeting

1. The fourteenth meeting of the Chemical Review Committee under the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade was held at the headquarters of the Food and Agriculture Organization of the United Nations (FAO), Viale delle Terme di Caracalla, Rome. The meeting was opened at 2 p.m. on Tuesday, 11 September 2018 by the Chair of the Committee, Ms. Noluzuko Gwayi (South Africa).

2. Opening remarks were delivered by Mr. Carlos Martin-Novella, Deputy Executive Secretary of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention and the Stockholm Convention on Persistent Organic Pollutants, and Ms. Christine Fuell, Senior Technical Officer and Coordinator of the Rotterdam Convention Secretariat at FAO, on behalf of Mr. Hans Dreyer, Executive Secretary of the Rotterdam Convention.

3. Mr. Martin-Novella welcomed the members and observers of the Committee to the meeting, which was taking place on the twentieth anniversary of the adoption of the Rotterdam Convention. He welcomed Ms. Gwayi as the newly appointed Chair of the Committee and thanked the outgoing Chair, Mr. Jürgen Helbig (Spain), for his leadership and guidance in advancing the work of the Committee. He highlighted the particular circumstances and requirements of developing countries in implementing the Rotterdam Convention, including the need to strengthen national capabilities and capacities for the management of chemicals to ensure their environmentally sound use.

4. Turning to the work of the Committee, he said that it was a challenging task for the experts to meet the increasing demand for scientific robustness in their work while taking into account the important role of that work on the global chemicals agenda and the expectations of various stakeholder groups. The timeliness of the Committee's efforts was underlined by the themes selected for the third and fourth sessions of the United Nations Environment Assembly, namely combating pollution, and sustainable consumption and production. The outcomes of the Committee's deliberations had relevance far beyond the listing of chemicals under the Convention, contributing to the global dialogue on environmental and health impacts of chemicals and wastes.

5. To aid the dissemination of technical information, reports on chemical risk evaluations had been compiled in the implementation of the Basel, Rotterdam and Stockholm conventions, and the Secretariat had developed a Final Regulatory Action Evaluation Toolkit for user-friendly access to information on the management and environmentally sound use of chemicals. The Secretariat had also, in collaboration with the World Health Organization and other relevant partners, held a number of subregional meetings with designated national authorities of the Rotterdam Convention to assist in accessing the information they needed in order to take scientifically sound final regulatory actions on chemicals. He was confident that the review of chemicals during the current meeting would be marked by transparency and inclusiveness in supporting the objectives of the Convention.

6. Mr. Dreyer, in his statement delivered by Ms. Fuell, also welcomed participants, in particular the new members of the Committee. Summarizing the tasks before the Committee, he stressed the important role of the Handbook of Working Procedures and Policy Guidance for the Chemical Review

Committee in capturing lessons learned as a means of improving the guidance provided to countries and facilitating the work of the Committee. The notifications of final regulatory action submitted by Parties were the basis for the Committee's work. Since the start of 2018 the Secretariat had received more than 50 such notifications, and it continued to work on ways to facilitate their preparation and submission, including through close cooperation with the FAO Pest and Pesticide Management team to strengthen evidence-based decision-making for national regulatory processes regarding pesticides. Building capacity in Parties was a prerequisite for taking full advantage of the protection available through global instruments such as the Rotterdam and Stockholm conventions. In that regard, FAO had developed a Pesticide Registration Toolkit to support the evaluation and authorization of pesticides. The Rotterdam Convention Secretariat had carried out training on the Toolkit – which was linked to the Final Regulatory Action Evaluation Toolkit – for designated national authorities of 20 Parties, with financial support from FAO. Support to prepare notifications had also been provided to Parties that had requested technical assistance individually or as a group.

II. Organizational matters

A. Officers

7. The following officers served on the Bureau of the Committee during the meeting:

Chair: Ms. Gwayi

Vice-Chairs: Mr. Jeffery Goodman (Canada)

Ms. Jinye Sun (China)

Ms. Anahit Aleksandryan (Armenia)

Ms. Norma Sharbati-Nudelman (Argentina)

Mr. Goodman served also as Rapporteur.

B. Attendance

8. The following members of the Committee attended the meeting: [*to be completed*]

C. Adoption of the agenda

9. In considering the sub-item, the Committee had before it the provisional agenda (UNEP/FAO/RC/CRC.14/1) and the annotations to the provisional agenda (UNEP/FAO/RC/CRC.14/1/Add.1).

10. The Committee adopted the following agenda on the basis of the provisional agenda:

1. Opening of the meeting.
2. Organizational matters:
   - (a) Adoption of the agenda;
   - (b) Organization of work.
3. Rotation of the membership.
4. Technical work:
   - (a) Consideration of draft decision guidance documents:
     - (i) Acetochlor;
     - (ii) Hexabromocyclododecane;
     - (ii) Phorate;
   - (b) Report of the Bureau on the preliminary review of notifications of final regulatory action;
   - (c) Review of notifications of final regulatory action:
     - (i) Hexabromocyclododecane;
     - (ii) Methyl parathion;
     - (iii) Perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds.

5. Updates to the Handbook of Working Procedures and Policy Guidance for the Chemical Review Committee.

6. Venue and date of the fifteenth meeting of the Committee.

7. Other matters.

8. Adoption of the report.

9. Closure of the meeting.

D. Organization of work

11. The Committee decided to conduct the meeting in accordance with the scenario note prepared by the Chair (UNEP/FAO/RC/CRC.14/INF/1, annex) and the tentative schedule for the meeting (UNEP/FAO/RC/CRC.14/INF/2, annex), subject to adjustment as necessary. It also decided that contact groups and drafting groups would be established as needed throughout the meeting.

12. The documents pertaining to each agenda item were identified in the annotations to the provisional agenda (UNEP/FAO/RC/CRC.14/1/Add.1) and in the list of pre-session documents by agenda item (UNEP/FAO/RC/CRC.14/INF/17).

III. Rotation of the membership

13. Introducing the item, the representative of the Secretariat drew attention to the information provided in document UNEP/FAO/RC/CRC.14/INF/3/Rev.1 on the membership of the Chemical Review Committee. A rotation of membership had taken place in May 2018 and the replacement of some members awaited confirmation by the Conference of the Parties at its ninth meeting. The Secretariat had held an orientation workshop at FAO headquarters in April 2018, funded by FAO Regular Programme Funds, to familiarize newly appointed members with the roles, mandate and operational procedures of the Committee.

14. The current meeting of the Committee was scheduled to be the last for Mr. Goodman, who would therefore need to be replaced, following the closure of the meeting, as the Bureau member from the Western European and other States. The Committee members of that region were thus invited to identify a new Bureau member. As the terms of office of 14 members of the Committee would expire on 30 April 2020, the Conference of the Parties at its meeting in 2019 would need to appoint new members with terms of office from 1 May 2020 to 30 April 2024. To facilitate the process, the Secretariat had provided to Parties by letter in August 2018 information on all the elections to take place during the ninth meeting of the Conference of the Parties, and had invited them to identify suitable experts and transmit supporting documentation to the Secretariat by the end of February 2019.

15. The Committee took note of the information presented.

16. [*to be completed*]

IV. Technical work

A. Consideration of draft decision guidance documents

1. Acetochlor

17. Introducing the sub-item, the Chair recalled that at its thirteenth meeting the Committee had reviewed notifications of final regulatory action for acetochlor from the European Union and 10 African Parties (Burkina Faso, Cabo Verde, Chad, the Gambia, Guinea-Bissau, Mali, Mauritania, the Niger, Senegal and Togo), along with supporting documentation, and, taking into account each of the specific criteria set out in Annex II to the Convention, had concluded that the criteria of that annex had been met.

18. Accordingly, the Committee had, by its decision CRC-13/1, recommended to the Conference of the Parties that acetochlor be listed in Annex III to the Convention as a pesticide. By that same decision, the Committee had adopted a rationale for its conclusion (set out in the annex to decision CRC-13/1), agreed to establish an intersessional drafting group to prepare a draft decision guidance document, and agreed on a workplan for developing that document (UNEP/FAO/RC/CRC.13/19, annex III).

19. At the current meeting, the Committee had before it a draft decision guidance document on acetochlor prepared by the intersessional drafting group (UNEP/FAO/RC/CRC.14/3), together with a tabular summary of comments received and how they had been addressed (UNEP/FAO/RC/CRC.14/INF/6).

20. Ms. Parvoleta Angelova Luleva, chair of the intersessional drafting group, reported on the work of the group. In doing so, she drew attention to a small number of proposed changes to the draft decision guidance document that had been submitted since it had been made available as a meeting document.

21. After the presentation, the representative of an observer suggested that agroecology be mentioned in the document, alongside integrated pest management and organic strategies, as a means of reducing or eliminating the use of hazardous pesticides. A representative of the Secretariat, noting that FAO was promoting agroecology as a means of supporting food production, food security and nutrition while restoring the ecosystem services and biodiversity that were essential for sustainable agriculture, explained that the approach was based on ecological services provided by the environment but also took sociological parameters into account. Additional information on the approach was available from the Agroecology Knowledge Hub of the FAO website. Following the explanation, several members supported the mentioning of agroecology in the document, including one who observed that the text in question applied generally to guidance documents for pesticides and should also be considered during the discussion of the sub-item on phorate.

22. The Committee requested Ms. Luleva to prepare a revised version of the draft decision guidance document for the Committee's consideration, taking into account the comments made during the discussion. It requested the Secretariat to prepare a draft decision by which the Committee would adopt the draft decision guidance document and forward it, together with the related tabular summary of comments, to the Conference of the Parties for consideration at its ninth meeting.

23. The Committee subsequently considered the revised version of the draft decision guidance document, as orally amended, and adopted decision CRC-14/--, which is set out in annex I to the present report.

2. Hexabromocyclododecane

24. Introducing the sub-item, the Chair recalled that at its thirteenth meeting the Committee had reviewed notifications of final regulatory action for hexabromocyclododecane from Japan and Norway, along with supporting documentation, and, taking into account each of the specific criteria set out in Annex II to the Convention, had concluded that the criteria of that annex had been met.

25. Accordingly, the Committee had, by its decision CRC-13/2, decided to recommend to the Conference of the Parties that hexabromocyclododecane be listed in Annex III to the Convention as an industrial chemical. By that same decision, the Committee had adopted a rationale for its recommendation (set out in the annex to decision CRC-13/2), agreed to establish an intersessional drafting group to produce a draft decision guidance document, and agreed on a workplan for developing that document (UNEP/FAO/RC/CRC.13/19, annex III).

26. At the current meeting, the Committee had before it a draft decision guidance document on hexabromocyclododecane prepared by the intersessional drafting group (UNEP/FAO/RC/CRC.14/4), together with a tabular summary of comments received and how they had been addressed (UNEP/FAO/RC/CRC.14/INF/7).

27. The Committee also had before it an additional notification of final regulatory action of hexabromocyclododecane, which had been received after its thirteenth meeting. The Committee noted that this notification did not affect or amend its previous recommendation to the Conference of the Parties regarding the chemical in question. It was agreed to proceed with work on the draft decision guidance document on the basis of the previous two notifications, reviewed at its previous meeting. There was nonetheless a need to review the information in the additional notification of final regulatory action, which would be addressed at the current meeting under agenda sub-item 4 (c) (i). The Committee would inform the Conference of the Parties of the approach taken. The information in the latest notification would also be made available for information-sharing purposes, for example, through the clearing house mechanism or in the final regulatory action evaluation toolkit. However, it would not be included in the draft decision guidance document.

28. Mr. Goodman, chair of the intersessional drafting group, reported on the work of the group, noting that a small number of mostly editorial comments had been submitted during the preparation of the draft decision guidance document and that the group had revised the draft decision guidance document and the tabular comments in order to shorten them and avoid repetition.

29. In the ensuing discussion, one member expressed support for the draft decision guidance document as presented to the Committee.

30. Following the presentation, the Committee, noting the general agreement on the draft decision guidance document, requested the Secretariat to prepare a draft decision by which the Committee would adopt the draft decision guidance document and forward it, together with the related tabular summary of comments, to the Conference of the Parties for consideration at its ninth meeting.

31. The Committee subsequently adopted decision CRC-14/--, which is set out in annex I to the present report.

3. Phorate

32. Introducing the sub-item, the Chair recalled that at its thirteenth meeting the Committee had reviewed a notification of final regulatory action for phorate from Brazil, along with supporting documentation, and had concluded that the notification met the criteria set out in Annex II to the Convention. Taking into account that another notification of final regulatory action for phorate from a different prior informed consent region, namely North America (Canada), had been reviewed by the Committee at its fifth meeting and had also been found to meet the Annex II criteria, the Committee had, by its decision CRC-13/4, decided to recommend to the Conference of the Parties that phorate be listed in Annex III to the Convention as a pesticide. By that same decision, the Committee had adopted a rationale for its recommendation (set out in the annex to decision CRC-13/4), agreed to establish an intersessional drafting group to produce a draft decision guidance document, and agreed on a workplan for developing that document (UNEP/FAO/RC/CRC.13/19, annex III).

33. The rationale for the Committee's earlier conclusion that the notification of final regulatory action submitted by Canada in respect of phorate met the criteria of Annex II to the Rotterdam Convention was set out in part B of Annex III to the report of the Committee on the work of its fifth meeting (UNEP/FAO/RC/CRC.5/16).

34. At the current meeting, the Committee had before it a draft decision guidance document on phorate prepared by the intersessional drafting group (UNEP/FAO/RC/CRC.14/5), together with a tabular summary of comments received and how they had been addressed (UNEP/FAO/RC/CRC.14/INF/8).

35. Ms. Marit Randall, a member of the intersessional drafting group, was asked to report on the work of the group given that, owing to the rotation of membership and the replacement of the member who had served as the group's chair, the two co-chairs and all but five members of the group were no longer standing members of the Committee.

36. Following her presentation, and in response to a comment by the representative of an observer that the statement, in the draft decision guidance document, that phorate was a potential endocrine disruptor should be specifically attributed to the notification by Brazil, Ms. Randall, supported by a member, proposed making a minor amendment to the document to reflect the comment.

37. Another member expressed support for an earlier request to include in the draft decision guidance document a reference to agroecology as one of the alternative approaches that countries could promote to reduce or eliminate the use of hazardous pesticides.

38. Following the discussion, the Committee requested Ms. Randall, with the support of the Secretariat, to revise the draft decision guidance document for consideration by the Committee. It requested the Secretariat to prepare a draft decision by which the Committee would adopt the draft decision guidance document and forward it, together with the related tabular summary of comments, to the Conference of the Parties for consideration at its ninth meeting.

39. The Committee subsequently considered the revised version of the draft decision guidance document, as orally amended, and adopted decision CRC-14/--, which is set out in annex I to the present report.

B. Report of the Bureau on the preliminary review of notifications of final regulatory action

40. In considering the sub-item, the Committee had before it the report of the Bureau (UNEP/FAO/RC/CRC.14/2); information on trade in chemicals under consideration by the Chemical Review Committee (UNEP/FAO/RC/CRC.14/INF/4/Rev.2); and a summary record of notifications of final regulatory action for chemicals reviewed by the Interim Chemical Review Committee or the Chemical Review Committee and of notifications scheduled for review by the Chemical Review Committee (UNEP/FAO/RC/CRC.14/INF/5).

41. Presenting the outcome of the preliminary review, Mr. Goodman, a member of the Bureau, said that, on the basis of the information available at the time, the Bureau had undertaken a preliminary review of the new notifications of final regulatory action and relevant supporting documentation. The main purpose of the preliminary review, the results of which were set out in the Bureau's report (UNEP/FAO/RC/CRC.14/2), had been to establish intersessional task groups for the candidate chemicals. The preliminary review had also provided an opportunity for the Bureau and the Secretariat to seek further clarification or information about those chemicals where needed.

42. Three intersessional task groups for candidate chemicals had been established, with Committee members designated as chairs, drafters or members of the groups. All Committee members had been encouraged to join any of the task groups, which had been charged with undertaking an initial review and preparing an analysis to determine whether the candidate chemical met the criteria set out in Annex II to the Convention. The draft task group reports had been posted on the Convention website three weeks before the meeting for comments. Intersessional task groups had met face to face, with the participation of observers, immediately before the meeting to finalize their reports. A representative of each task group would present the findings of that task group to the Committee and lead the discussions on the chemical in question.

43. The Chair added that, in a departure from the previous format, the current report of the preliminary review of the Bureau did not contain any conclusions on whether chemicals met the criteria in Annex II of the Convention. When the Bureau undertook its preliminary review, supporting documentation might not yet have been completed. The Bureau review provided an opportunity to identify information gaps and to request the Secretariat to seek further information or clarification. The focus of the Bureau's current report on the preliminary review was thus on setting up intersessional task groups rather than determining whether the criteria in Annex II were met.

44. The Committee took note of the information presented.

C. Review of notifications of final regulatory action

1. Hexabromocyclododecane

45. Introducing the sub-item, the representative of the Secretariat recalled that before the Committee's thirteenth meeting the Secretariat had received three notifications of final regulatory action for hexabromocyclododecane in the industrial category that met the requirements of Annex I to the Convention from Parties in two prior informed consent regions, Asia (China and Japan) and Europe (Norway). At its thirteenth meeting, the Committee had reviewed those notifications and agreed that the notifications from Japan and Norway met all the criteria set out in Annex II to the Convention.

46. Accordingly, by its decision CRC-13/2, the Committee had recommended to the Conference of the Parties that hexabromocyclododecane be listed in Annex III as an industrial chemical (as noted in paragraph 25 above).

47. Following the thirteenth meeting, the Secretariat had received an additional notification of final regulatory action for hexabromocyclododecane from the North America prior informed consent region (Canada) in the industrial category that met the requirements of Annex I (UNEP/FO/RC/CRC.14/6), together with supporting documentation (UNEP/FAO/RC/CRC.14/INF/9).

48. The Chair said that the task before the Committee under sub-item 4 (c) (i) was to review the information provided in the notification from Canada using the criteria set out in Annex II and, if it found that the notification met those criteria, to prepare a rationale explaining how the criteria had been met. She explained that, even though at its thirteenth meeting the Committee had decided to recommend to the Conference of the Parties that hexabromocyclododecane be listed in Annex III to the Rotterdam Convention, the review of the additional notification from Canada was necessary under Article 5 of the Convention.

49. Mr. Suresh Amichand, chair of the intersessional task group that had undertaken a preliminary assessment of the notification and supporting documentation from Canada, reported on the work of the intersessional task group, after which Mr. Dawson, the drafter of the intersessional task group, reported on the outcome of the group's initial assessment of the notification.

Notification from Canada

50. At the invitation of the Chair, Mr. Peter Dawson, co-chair of the task group, presented the draft report of the task group, contained in a conference room paper, which presented the task group's conclusion that all the criteria set out in Annex II to the Rotterdam Convention had been met.

51. With regard to the criterion in paragraph (a) of Annex II, the task group had concluded that the criterion had been met because the final regulatory action had been taken to protect the environment.

52. With regard to the criteria in paragraph (b) of Annex II, the regulatory action was underpinned by a risk evaluation, including a screening assessment report conducted by Environment Canada and Health Canada that contained information on peer-reviewed scientific studies conducted in Canada or relevant to Canada, so the task group had determined that the criteria in paragraphs (b) (i) and (b) (ii) of Annex II had been met. As for the criterion set out in paragraph (b) (iii), hexabromocyclododecane was a persistent organic pollutant targeted for elimination under Annex A to the Stockholm Convention that, because of its persistence and bioaccumulation properties and evidence of exposure by consumers and the environment, including in remote areas of the Arctic, had the potential to cause ecological harm in Canada. Accordingly, the task group had concluded that criterion (b) (iii), and therefore criterion (b) as a whole, had been met.

53. The task group had further concluded that all the criteria in paragraph (c) of Annex II had been met: the severe restriction on hexabromocyclododecane in Canada constituted a virtual ban on the chemical and would reduce its use in the country, in accordance with paragraph (c) (i); the severe restriction was expected to significantly reduce exposure to the chemical in Canada, thus satisfying the criterion in paragraph (c) (ii); Canada's regulatory action could be relevant to other regions, given that hexabromocyclododecane was a persistent organic pollutant capable of long-range transboundary transport, thus satisfying the criterion in paragraph (c) (iii); and the Parties to the Stockholm Convention had adopted specific exemptions for the use and production of hexabromocyclododecane under the Convention, so it could be assumed that the production and use of the chemical continued and that trade in the chemical could be expected, thereby satisfying the criterion in paragraph (c) (iv).

54. Regarding the criterion in paragraph (d) of Annex II, there was no indication that the regulatory action had been prompted by concerns over intentional misuse of hexabromocyclododecane, so the task group had concluded that the criterion had been met.

55. Accordingly, the task group recommended that the Committee consider the newly submitted notification from Canada to have satisfied all the criteria set out in Annexes I and II to the Rotterdam Convention.

Discussion of the notification

56. In the ensuing discussion, members thanked the task group for its report and expressed support for the conclusions contained therein. A few members commended Canada for its notification, which in their view constituted best practice and contained key lessons that should be incorporated into the Handbook of Working Procedures and Policy Guidance for the Chemical Review Committee.

57. Responding to a comment from a representative of an observer, Mr. Goodman said that a risk quotient analysis for pelagic and benthic organisms had been a component of the risk evaluation but that, given the nature of hexabromocyclododecane, the risk evaluation conducted by Canada had been broader in scope and had taken into account the concept of changing concentrations or threats to organisms, given the capacity of the chemical to bioaccumulate over time.

Next steps

58. The Committee concluded that the notification by Canada met all the criteria of Annex II to the Convention. It established a contact group, with Mr. Amichand serving as chair and Mr. Dawson serving as drafter, to prepare a rationale for that conclusion. It further decided that the contact group could be converted into a drafting group if that was deemed necessary by the chair of the contact group. It requested the Secretariat to prepare for consideration a draft decision by which the Committee would adopt the rationale.

59. [*to be completed*]

2. Methyl parathion

60. The Committee had before it a notification of final regulatory action for methyl parathion submitted by Panama (UNEP/FAO/RC/CRC.14/7), along with the related supporting documentation (UNEP/FAO/RC/CRC.14/INF/11). The Committee also had before it a note by the Secretariat on the notification from the European Community for methyl parathion previously reviewed by the Committee and the rationale for the latter's conclusion (UNEP/FAO/RC/CRC.14/INF/12).

61. Ms. Lady Jhoana Domínguez Majín, chair of the intersessional task group that had conducted a preliminary assessment of the notification and the supporting documentation, and Ms. Randall, drafter of the task group, reported on the group's initial assessment of the notification.

(a) Notification from Panama

62. In her presentation, Ms. Randall recalled that the final regulatory action from Panama covered in the notification related to methyl parathion (CAS 298-00-0) in the pesticide category. Panama had banned the import, manufacture, processing, commercialization and use of all agricultural product formulations with the active ingredient methyl parathion. According to the notification, the final regulatory action had been taken to protect human health and the environment, and the task group had therefore concluded that the criterion in paragraph (a) of Annex II had been met.

63. With respect to paragraph (b) of Annex II, the notification stated that methyl parathion was used as an insecticide for pest control in various crops and had been banned in Panama for all agricultural uses since June 2011, along with 10 other active ingredients. That decision had been based on the chemical's harmful effects on public health and the environment as reported in numerous international studies, and on the availability of alternatives. The final regulatory action had not, however, been based on a risk evaluation involving prevailing conditions within the Party. The task group had therefore concluded that the criteria in paragraph (b) of Annex II had not all been met.

64. Regarding paragraph (c) of Annex II, the task group had noted that the notified regulatory action was a ban and was therefore expected to lead to a significant decrease in the quantity of methyl parathion used. The task group had thus concluded that the criterion in subparagraph (c) (i) of Annex II had been met. In addition, as the notification stated that the use of methyl parathion as a pesticide constituted a risk to the health of humans and other living organisms, and as all agricultural uses of the substance had been banned, the final regulatory action was expected to lead to a significant reduction of risk for human health and the environment. The task group had therefore concluded that the criterion in subparagraph (c) (ii) of Annex II had been met. The task group had also concluded that the criteria in subparagraphs (c) (iii) and (c) (iv) had been met, as the use of pesticides containing methyl parathion might cause similar problems to health and the environment in other countries, and as the fact that methyl parathion was registered in some countries meant that international trade in the substance could not be excluded.

65. Finally, with regard to paragraph (d) of Annex II, there was no indication in the notification or the supporting documentation that intentional misuse of methyl parathion had prompted the regulatory action; the task group had therefore concluded that the criterion in paragraph (d) of Annex II had been met.

66. Accordingly, the task group had concluded that the notification of final regulatory action from Panama did not meet all the criteria set out in Annex II to the Convention.

(b) Discussion of the notification

67. During the ensuing discussion, those members who spoke supported the views of the task group.

(c) Next steps

68. The Committee decided that, since the notification did not meet all the criteria of Annex II to the Convention, no further action would be taken on the chemical at the present time.

3. Perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds

69. The Committee had before it notifications on perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds in the industrial category submitted by Canada and Norway (UNEP/FAO/RC/CRC.14/8) and supporting information relating thereto (UNEP/FAO/RC/CRC.14/INF/13 and UNEP/FAO/RC/CRC.14/INF/14). The Secretariat had determined that both notifications met the criteria in Annex I to the Convention.

70. Mr. Viliami Manu, the chair of the intersessional task group that had undertaken a preliminary assessment of the notifications and supporting documentation to determine whether they also complied with the criteria of Annex II to the Convention, reported on the work of the intersessional task group. Mr. Timo Seppälä, the drafter of the intersessional task group, then reported on the outcomes of the group's initial assessment.

(a) Notifications

(i) Notification from Canada

71. The final regulatory action taken by Canada prohibited the import, manufacture, use, sale and offer for sale of PFOA and products containing PFOA, with a limited number of exemptions. It also covered potential precursors. The notification indicated that the regulatory action been taken to protect the environment, thus meeting the criterion in paragraph (a) of Annex II.

72. With respect to paragraph (b) of the annex, the notification indicated that under Canadian environmental legislation the federal health and environment ministers were required to conduct screening assessments to determine whether a substance posed a risk to human health or the environment. The task group had considered the available data reviews to be scientifically sound and to have been generated and reported according to generally recognized scientific principles and procedures, and had therefore concluded that the notification met the requirements in subparagraphs (b) (i) and (b) (ii) of the annex. In terms of a risk or hazard evaluation, the notification referred to an ecological assessment that made use of the extensive available information on uses, releases and environmental levels of PFOA in Canada, including the Canadian Arctic. The task group had therefore concluded that the notification met the criterion in subparagraph (b) (iii), meaning that the criteria of paragraph (b) as a whole were met.

73. With respect to paragraph (c) of Annex II, the prohibition of the use of PFOA and products containing PFOA in manufacturing would minimize further releases to the environment and could thus be expected to result in a significant reduction of environmental risk, meaning that the criteria in subparagraphs (c) (i) and (c) (ii) were met. The notification stated that, once in the environment, PFOA was extremely persistent and was not known to degrade, and that its presence in the Canadian Arctic was likely attributable to the long-range transport of PFOA and/or volatile precursors to PFOA. The task group had determined that, given the hazards and long-range transport of the substance as described in the screening assessment underlying the regulatory action, any country or region where exposure or release was possible might find the regulatory action relevant. Consequently, the criterion in subparagraph (c) (iii) was met. The notification also stated that PFOA was not produced in Canada but had been imported for manufacturing, and that the import of certain related products and articles would still be allowed. Furthermore, information from ongoing discussions under the Stockholm Convention on Persistent Organic Pollutants indicated ongoing international trade. The task group had therefore considered the criterion in subparagraph (c) (iv) to be met, and thus that the criteria in paragraph (c) as a whole were met.

74. Finally, there was no indication in the notification or the supporting documentation that the regulatory action had been prompted by concerns over the intentional misuse of PFOA, and the criterion in paragraph (d) of Annex II was therefore considered to have been met.

75. Accordingly, the task group recommended that the Committee consider the notification from Canada to have satisfied the criteria set out in Annex II to the Convention.

(ii) Notification from Norway

76. The final regulatory action taken by Norway prohibited the manufacture, import, export and sale of consumer products containing PFOA, with some exceptions, and had been taken to protect the human health and the environment, thus meeting the criterion in paragraph (a) of Annex II.

77. With respect to the criteria in paragraph (b) of the annex, the notification indicated that the final regulatory action was based on three documents describing hazards and risks, and that reviews had been performed and documented according to internationally recognized scientific principles and procedures, thus satisfying the criteria in subparagraphs (b) (i) and (b) (ii) of the annex. The criterion in subparagraph (b) (iii) was also considered met, as the final regulatory action had been based on a review of relevant scientific data taking into account the conditions prevailing in Norway. The notification thus complied with paragraph (b) of Annex II as a whole.

78. In terms of paragraph (c) of the annex, although the notification did not contain information on actual amounts used, the task group had decided that the information provided on PFOA applications in Norway was sufficient to conclude that, despite the exemptions, the final regulatory action had led to a significant decrease of the quantity used. As, according to the Norwegian evaluation, it was impossible to establish an acceptable level for the substances, and emissions of and exposure to them should therefore be limited as much as possible, the task group had also concluded that reduced exposure would result in a significant risk reduction for humans and the environment. Thus, the criteria in subparagraphs (c) (i) and (c) (ii) of Annex II were met. The task group had also concluded that the concerns identified in Norway were likely to be encountered in other countries where the substance was used, and that the criterion in subparagraph (c) (iii) was therefore met. Finally, while there was no information on trade of PFOA in Norway, and PFOA was not produced in Norway, it was still used or imported as a chemical or impurity or in articles. Furthermore, information from ongoing discussions under the Stockholm Convention indicated that international trade in PFOA was ongoing. On that basis, the task group had concluded that the criterion in subparagraph (c) (iv) had also been met and that the criteria in paragraph (c) of Annex II as a whole had thus been satisfied.

79. Finally, as the notification gave no indication that the regulatory action had been prompted by concerns regarding the intentional misuse of PFOA, the task group had concluded that the criterion in paragraph (d) of Annex II had been met.

80. Accordingly, the task group recommended that the Committee consider the notification from Norway to have satisfied the criteria set out in Annex II to the Convention.

(b) Discussion of the notifications

81. During the ensuing discussion, all those who spoke supported the task group's conclusions for both notifications.

(c) Next steps

82. On the basis of the discussion, the Committee agreed that the notifications met all the criteria in Annex II to the Convention. It established a contact group to develop rationales for the Committee's conclusions concerning each of the notifications on the basis of the notifications and of the comments made during the discussion. The contact group would be chaired by Mr. Manu, with Mr. Seppälä acting as the drafter. The chair of the contact group could, if necessary, convert the group to a drafting group limited to members of the Committee. The Committee also requested the Secretariat to prepare a draft decision, including a recommendation to list PFOA, its salts and PFOA-related compounds in the industrial category in Annex III to the Convention and a decision to prepare a draft decision guidance document. In addition, the Committee requested the Secretariat to prepare a draft workplan for the preparation of draft decision guidance documents.

83. [*to be completed*]

V. Updates to the Handbook of Working Procedures and Policy Guidance for the Chemical Review Committee

84. Introducing the item, the representative of the Secretariat recalled that the Committee at its thirteenth meeting had requested the Secretariat to update two sections of the Handbook of Working Procedures and Policy Guidance for the Chemical Review Committee. Specifically, the Secretariat had been asked to update section 1.4, on a process for determining evidence of ongoing international trade, taking into account the relevant discussions held at the thirteenth meeting, and section 2.6, on guidance to assist Parties and the Committee when a chemical under consideration was a persistent organic pollutant listed under the Stockholm Convention. It had been requested to add to section 2.6 two examples, discussed at the thirteenth meeting, relating to notifications of final regulatory actions on perfluorooctane sulfonic acid from China and on hexabromocyclododecane from Japan.

85. The Secretariat had accordingly updated sections 1.4 and 2.6 of the Handbook, and the text of those sections, with the proposed changes in tracked mode, was set out in the annex to document UNEP/FAO/RC/CRC.14/9 for consideration by the Committee.

86. In the ensuing discussion, members agreed to first address the proposed changes arising from the Committee's previous meeting and then make any proposals for the inclusion of new issues in the Handbook.

87. Regarding the proposed changes to section 1.4 of the Handbook, several members said that the proposed new paragraph 5 should be amended to better explain how the Committee applied the criterion if no information was available on ongoing international trade in a particular chemical or pesticide.

88. As for the changes proposed to section 2.6, several members expressed support for deleting the proposed new paragraph 20, which related to the notification on hexabromocyclododecane from Japan, on the ground that only a minimal amount of information on the risk evaluation conducted by the Government of Japan had been translated into English and that the notification was therefore not comprehensive enough to be used as an example in the guidance for the Committee's future work. Another member proposed instead amending the paragraph to specify the types of data that Japan had provided and describe the Party's regulatory process in order to explain why the notification had been found to meet criterion (b) of Annex II to the Rotterdam Convention. A few members who expressed preference for deleting the paragraph said that they could also support amending it as proposed.

89. Regarding the proposed changes to section 2.6, several members questioned the relevance of the proposed new paragraph 22, which included an example of a notification that had been found not to meet the criteria set out in subparagraph (b) (iii) of Annex II. Several other members said that the inclusion of such examples in the Handbook could be helpful in guiding the future work of the Committee and expressed support for retaining the paragraph.

90. Stressing that the objective of the Handbook was to achieve consistency and continuous improvement in the work of the Committee, and that under paragraph 1 of Article 5 of the Convention all Parties that had taken a final regulatory action were required to notify the Secretariat of that action, the Chair cautioned against simplistic qualification of the notifications of Parties as "good" or "bad". Such qualification, she said, ignored the fact that different countries had different capacities, resources and regulatory approaches. They could even have the unintended consequence of leading some countries to refrain from notifying the Secretariat of final regulatory actions they had taken.

91. The representative of the Secretariat reminded the Committee that Parties to the Convention had an obligation to notify the Committee of final regulatory actions, providing the information specified in Annex I to the Convention where it was available. The review of the information in the notification by the Committee was a different stage from that of the action taken by the Party, and the Handbook was intended to clarify how the Committee undertook its work. It was not intended to directly assist Parties wishing to take final regulatory action or notify the Committee of such action.

92. Members who took the floor agreed with the Chair's remarks, with several expressing support for the inclusion of useful examples that avoided references to specific countries or chemicals.

93. With regard to new issues raised at the current meeting that might be reflected in the Handbook, a proposal was made to include a reference to agroecology as one of the alternative approaches that Parties could use to reduce or eliminate the use of hazardous pesticides in the section on the development of decision guidance documents.

94. Following the discussion, the Committee requested the Secretariat to delete paragraphs 20 and 22 from the proposed revised text in the annex to document UNEP/FAO/RC/CRC.14/9. It decided to establish a drafting group, chaired by Mr. Goodman, to redraft the proposed new paragraph on international trade and to draft guidance on the issue of agroecology for consideration by the Committee.

95. [*to be completed*]

VI. Venue and date of the fifteenth meeting of the Committee

96. [*to be completed*]

VII. Other matters

97. [*to be completed*]

VIII. Adoption of the report

98. [*to be completed*]

IX. Closure of the meeting

99. [*to be completed*]